

Introduced by Senator Harman

February 18, 2011

An act to add Section 6321.5 to the Public Resources Code, relating to tidelands and submerged lands.

LEGISLATIVE COUNSEL'S DIGEST

SB 876, as introduced, Harman. Tidelands and submerged lands: shore protection: lease of structures.

Under existing law, the State Lands Commission has exclusive jurisdiction over all ungranted tidelands and submerged lands owned by the state. Existing law also provides that all jurisdiction and authority remaining in the state as to granted tidelands and submerged lands is vested in the commission. The commission is required to exclusively administer and control these lands.

Under existing law, upon request of a littoral owner, the commission may allow the owner to construct, alter, or maintain certain structures upon, across, or over tidelands or submerged lands, and may collect a rental charge for the use of the lands upon which the structures are situated.

This bill would specify the terms for a lease of structures for shore protection for private property adjacent to tidelands or submerged lands by allowing the commission to only lease these structures to a littoral owner for a term of 99 years, with the consideration for the lease adjusting no more than once for an unspecified number of years, based on any change in the California Consumer Price Index.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6321.5 is added to the Public Resources
- 2 Code, to read:
- 3 6321.5. The commission may lease to a littoral owner structures
- 4 for shore protection for private property adjacent to tidelands or
- 5 submerged lands only on the following terms:
- 6 (a) The term of the lease is for 99 years.
- 7 (b) The consideration for the lease may be adjusted no more
- 8 than once every ____ years, based on any change in the California
- 9 Consumer Price Index.